

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AVRAHAM GOLDSTEIN; MICHAEL GOLDSTEIN;
FRIMETTE KASS-SHRAIBMAN; MITCHELL
LANGBERT; JEFFREY LAX; MARIA PAGANO,

Plaintiffs,

v.

PROFESSIONAL STAFF CONGRESS/CUNY, *et al.*,

Defendants.

Case No. 1:22-cv-00321-PAE

Hon. Paul A. Engelmayer

**UNOPPOSED MOTION FOR ENTRY
OF FINAL JUDGMENT IN A CIVIL
CASE**

TO THE HONORABLE COURT:

Pursuant to Rule 58(d) of the Federal Rules of Civil Procedure, Plaintiffs Avraham Goldstein, Michael Goldstein, Frimette Kass-Shraibman, Mitchell Langbert, Jeffrey Lax and Maria Pagano (“Plaintiffs”), as represented below, request the Court to enter final judgment in this civil case: a) for all Defendants, except Defendant City of New York, against them on counts one and two of the above-referenced case in accordance with the Court’s Opinion and Order of November 30, 2022, Doc. No. 95; and (b) for Defendant Professional Staff Congress/CUNY (“PSC”) against Plaintiffs Frimette Kass-Shraibman and Mitchell Langbert in accordance with the February 14, 2023 Order of Dismissal with Prejudice of Count Three as to Defendant PSC (Doc. No. 110). In support of this motion, Plaintiffs state:

1. On January 12, 2022, Plaintiffs filed a three-count complaint against the seven Defendants. Doc. No. 1.

2. On November 2, 2022, this Court issued a Rule 68 Judgment for Plaintiff Avraham Goldstein against Defendant City of New York. Doc. No. 78.

3. By letter dated November 11, 2022, Plaintiffs informed the Court that “[t]here are no outstanding claims against State Defendants under Count 3” of the Complaint. Doc. No. 80. (The State Defendants are John Wirenius, Rosemary A. Townley, Anthony Zumbolo, The City University of New York, and Thomas P. DiNapoli.)

4. In an Opinion and Order dated November 30, 2022, the Court granted in full the Motions to Dismiss filed by the remaining six Defendants PSC, City University of New York (“CUNY”), DiNapoli, Wirenius, Townley, and Zumbolo and dismissed counts one and two of the complaint and all Defendants other than Defendant PSC. Doc. No. 95.

5. On February 14, 2023, the Court ordered count three dismissed with prejudice as to Defendant PSC pursuant to Federal Rule of Civil Procedure 41(a)(2). Doc. No. 110.

6. The above described orders and Rule 68 Judgment have resolved all claims made in Plaintiffs’ Complaint, Doc No. 1.

WHEREFORE, Plaintiffs request this Court to enter final judgment in this case pursuant to Rule 58 of the Federal Rules of Civil Procedure. A proposed final judgment is filed herewith.

Respectfully submitted,

Dated: March 14, 2023

s/ William L. Messenger

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this date I electronically filed the foregoing with the Clerk of Court using the Court's CM/ECF system, which will send electronic notification of filing to all counsel of record in this matter who are ECF participants.

Dated: March 14, 2023

s/ William L. Messenger

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